

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SCVNGR, INC., d/b/a LevelUp)	
)	
Plaintiff,)	Civil Action No.: 13-cv-12418-DJC
)	
v.)	
)	JURY DEMANDED
eCHARGE LICENSING, LLC,)	
)	
Defendant.)	
)	

**AGREED MOTION TO STAY LITIGATION PENDING *INTER PARTES*
REVIEW**

WHEREAS, the parties in this case, Defendant eCharge Licensing, LLC (“eCharge”) and Plaintiff SCVNGR, Inc., d/b/a LevelUp (“LevelUp”) have agreed to a stay of the above-captioned litigation pending the resolution of three petitions for Inter Partes Review (“IPR”) with the Patent Trial and Appeal Board (“PTAB”) of the United States Patent and Trademark Office, the parties respectfully request that the Court stay this action, suspending all case deadlines. The petitions are IPR2014-00156 (for U.S. Patent No. 6,764,005), IPR2014-00157 (for U.S. Patent No. 7,828,207), and IPR2014-00158 (for U.S. Patent No. 8,490,875). A final decision is expected by May 15, 2015.

The parties also jointly request that the Court extend the time for LevelUp to respond to Counterclaim of eCharge, and to seek leave to amend its Complaint, until ten (10) days after the stay of the action is lifted, or this motion is denied.

WHEREFORE, the Parties request that the Court stay this action on the terms set forth in the attached proposed order.

Dated: October 21, 2014

Respectfully submitted,

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**Attorneys for plaintiff SCVNGR, Inc.
d/b/a Level Up**

CERTIFICATE OF SERVICE

The undersigned attorney of record certifies that on October 20, 2014, a copy of the foregoing document was filed with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all counsel of record.

/s/Robert P. Greenspoon
Robert P. Greenspoon